

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Jeriamiyah Edwards

(b) County of Residence of First Listed Plaintiff Butler County, PA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See attached counsel list.

## DEFENDANTS

Butler County, et al.

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

See attached counsel list.

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

| CONTRACT  | TORTS  | FORFEITURE/PENALTY   | BANKRUPTCY  | OTHER STATUTES  |   |
|---|--|--|---|---|---|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 690 Other<br><b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Management Relations<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 751 Family and Medical Leave Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Employee Retirement Income Security Act<br><b>IMMIGRATION</b><br><input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>INTELLECTUAL PROPERTY RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application<br><input type="checkbox"/> 840 Trademark<br><input type="checkbox"/> 880 Defend Trade Secrets Act of 2016<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 375 False Claims Act<br><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))<br><input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)<br><input type="checkbox"/> 485 Telephone Consumer Protection Act<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 896 Arbitration<br><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision<br><input type="checkbox"/> 950 Constitutionality of State Statutes |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property  | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 440 Other Civil Rights<br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 445 Amer. w/Disabilities - Employment<br><input type="checkbox"/> 446 Amer. w/Disabilities - Other<br><input type="checkbox"/> 448 Education   | <b>PRISONER PETITIONS</b><br><b>Habeas Corpus:</b><br><input type="checkbox"/> 463 Alien Detainee<br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><b>Other:</b><br><input checked="" type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement                     |   |   |   |

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. 1983

Brief description of cause:

Plaintiff prisoner alleges mistreatment and violations of his constitutional rights at Butler County Prison.

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE  
June 18, 2025

SIGNATURE OF ATTOF



## FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**COUNSEL LIST**

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***Counsel for Defendant, Butler County***

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***Counsel for Defendants, PrimeCare Medical, Inc. and Head Doctor of Butler County Prison***

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DESIGNATION FORM**

Place of Accident, Incident, or Transaction: Butler County Prison, Butler, PA

**RELATED CASE IF ANY:** Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_

- |   |                              |
|---|------------------------------|
| 1. Does this case involve property included in an earlier numbered suit?  | Yes <input type="checkbox"/> |
| 2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit?                              | Yes <input type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit?                 | Yes <input type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual?   | Yes <input type="checkbox"/> |
| 5. Is this case related to an earlier numbered suit even though none of the above categories apply?<br>If yes, attach an explanation. | Yes <input type="checkbox"/> |

I certify that, to the best of my knowledge and belief, the within case ☐ is / ☒ is not related to any pending or previously terminated action in this court.

**Civil Litigation Categories**

**A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts)
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Wage and Hour Class Action/Collective Action
- ☐ 6. Patent
- ☐ 7. Copyright/Trademark
- ☐ 8. Employment
- ☐ 9. Labor-Management Relations
- ☒ 10. Civil Rights
- ☐ 11. Habeas Corpus
- ☐ 12. Securities Cases
- ☐ 13. Social Security Review Cases
- ☐ 14. Qui Tam Cases
- ☐ 15. Cases Seeking Systemic Relief **\*see certification below\***
- ☐ 16. All Other Federal Question Cases. (Please specify): \_\_\_\_\_

**B. Diversity Jurisdiction Cases:**

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): \_\_\_\_\_
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: (Please specify) \_\_\_\_\_

I certify that, to the best of my knowledge and belief, that the remedy sought in this case ☐ does / ☒ does not have implications beyond the parties before the court and ☐ does / ☒ does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

**ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)**

I certify that, to the best of my knowledge and belief:

☒ Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages; (2) the money damages sought are in excess of \$150,000 exclusive of interest and costs; (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. § 1343.

☐ None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JERIAMIYAH EDWARDS,

Plaintiff,

v.

BUTLER COUNTY d/b/a BUTLER COUNTY PRISON; JOE DeMORE, in his individual and official capacity as Warden of Butler County Prison; CAPTAIN RUSSELL, individually; CAPTAIN J. KENGERSKI, individually; SARGEANT OR CORRECTIONS OFFICER K. DECKER, individually; CORRECTIONS OFFICE QUINN, individually; CORRECTIONS OFFICER McCLURE, individually; CORRECTIONS OFFICER MILLER, individually; CORRECTION OFFICER JORDAN, individually; CORRECTIONS OFFICER REISER, individually; JANE AND JOHN DOE, CORRECTIONS OFFICERS; PRIMECARE MEDICAL, INC.; HEAD DOCTOR, individually and in their official capacity as Head Doctor of Butler County Prison; and JOHN AND JANE DOE MEDICAL STAFF AT BUTLER COUNTY PRISON, individually,

Defendants.

**CIVIL ACTION**

**NO:**

**NOTICE OF REMOVAL**

Defendant BUTLER COUNTY, by and through its attorneys, Marshall Dennehey, P.C., hereby files the Notice of Removal of this action, which is currently pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, January Term, 2025, Case No. 00204, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. 1331, 1443, and 1446, and in support thereof avers as follows:

## **I. Facts and Procedural History**

1. On January 3, 2025, Plaintiff Jeriamyah Edwards initiated this action by filing a Writ of Summons in the Philadelphia County Court of Common Pleas. See Writ of Summons, attached hereto as Exhibit “A.”

2. Plaintiff subsequently filed his Complaint on May 22, 2025. See Complaint, attached hereto as Exhibit “B.”

3. In the Complaint, Plaintiff alleges that he was assaulted and harassed while incarcerated at Butler County Prison. See Exhibit “B” at ¶¶ 1, 17-56, and generally.

4. On the basis of his allegations, Plaintiff asserts claims for “Cruel and Unusual Punishment,” “Monell,” Negligence, and Excessive Force/Assault and Battery. See id. at Counts I, II, III, and III [sic].

5. Plaintiff’s claims expressly invoke various federal laws and constitutional provisions, including the Fourth, Eighth and Fourteenth Amendments and 42 U.S.C. § 1983. See id. at ¶¶ 58, 61, 72.

## **II. Plaintiff’s Allegations Raise a Federal Question and this Court therefore has Original Jurisdiction over this Matter.**

6. Without admitting the truth of Plaintiff’s allegations, the Complaint expressly claims that his federal constitutional rights were violated. See id.

7. Accordingly, this Court has original jurisdiction under 28 U.S.C. § 1331, as the action presents a question of federal law. See Fed. L. Enf’t Officers Ass’n v. Att’y Gen. New Jersey, 93 F.4th 122, 127 (3d Cir. 2024).

8. Under 28 U.S.C. 1367(a), to the extent the Plaintiff might seek additional relief under Pennsylvania law for any alleged violations of state law, this Court has supplemental

jurisdiction over all such remaining state claims because those putative claims are so related to the federal claim, they would form part of the same case or controversy under Article III of the United States Constitution.

9. Venue is proper in this district, pursuant to 28 U.S.C. 1391(b)(2), as Philadelphia County – the county in which the action was filed – lies within the Eastern District of Pennsylvania.

### **III. Defendant has Complied with all Procedural Requirements for Removal.**

10. This notice is timely pursuant to 28 U.S.C. 1446, as this notice is being filed within thirty (30) days of May 22, 2025, the date the Complaint was served on Butler County.

11. In accordance with 28 U.S.C. §1446(a), copies of all process, pleadings and orders served upon Butler County are attached hereto. See Exhibits “B” and “C” Further, docket entries from the State Court action are also attached hereto as Exhibit “D.”

12. Pursuant to 28 U.S.C. 1446(b)(2), all other defendants properly joined and served have consented to removal of this matter. See E-mail correspondence, collectively attached hereto as Exhibit “E.”<sup>1</sup>

13. Written notice of the filing of this Notice of Removal has been given to all adverse parties in accordance with 28 U.S.C. § 1446(d), and is noted in the Certificate of Service attached hereto.

14. Promptly after filing in this Court and the assignment of a Civil Action Number, a Notice of Removal will be filed with the Court of Common Pleas of Philadelphia County, in accordance with 28 U.S.C. § 1446(d).

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<sup>1</sup> The general rule in 28 U.S.C. § 1446(b)(2)(A), which requires that all defendants must join in a notice of removal, may be disregarded where the non-joining defendants are “John Doe” defendants whose identities are unknown. *See, e.g., Green v. America Online (AOL)*, 318 F.3d 465 (3d Cir. 2003); *Bonilla-Paul v. Walmart, Inc.*, 2019 WL 13071987 (E.D. Pa. Nov. 22, 2019).

WHEREFORE, Defendant Butler County hereby removes this action from the Court of Common Pleas for Philadelphia County to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

**MARSHALL DENNEHEY, P.C.**



BY: \_\_\_\_\_  
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Attorneys for Defendant,  
Butler County

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing Notice of Removal was served this date, via electronic mail, to the following:

Matthew B. Weisberg, Esquire  
David A. Berlin, Esquire  
WEISBERG LAW  
7 South Morton Avenue  
Morton, PA 19070  
[mweisberg@weisberglawoffices.com](mailto:mweisberg@weisberglawoffices.com)  
[dberlin@weisberglawoffices.com](mailto:dberlin@weisberglawoffices.com)  
***Counsel for Plaintiff***

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***Counsel for Defendants, PrimeCare Medical, Inc. and Head Doctor of Butler County Prison***



*Defendants, Joe DeMore, in his individual and official capacity as Warden of Butler County Prison; Captain Russell, individually; Captain J. Kengerski, individually; Sargeant OR Corrections Officer K. Decker, individually; Corrections Officer Quinn, individually; Corrections Officer McClure, individually; Corrections Officer Miller, individually; Corrections Officer Jordan, individually; and Corrections Officer Reiser, individually*

c/o

Julie M. Graham, Esquire  
Solicitor for the County of Butler  
Butler County Commissioners' Office  
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**MARSHALL DENNEHEY, P.C.**



BY: \_\_\_\_\_

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Attorneys for Defendant,  
Butler County

**DATED:** June 18, 2025